

SCD 232429 DA ACX 39801

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

☒ CENTRAL ☐ EAST ☐ NORTH ☐ SOUTH

DATE 3/19/13 AT 9:00 A. M.

PRESENT: HON Kenneth K. So

JUDGE PRESIDING, DEPARTMENT 55

CLERK M. Charter

REPORTER T. Christians

CSR# 3966

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112

THE PEOPLE OF THE STATE OF CALIFORNIA

Oscar Garcia

DEPUTY DISTRICT ATTORNEY / DEPUTY ATTORNEY GENERAL

VS.

Elizabeth Otilia Withers

Timothy Chandler

DEFENDANT

ATTORNEY FOR DEFENDANT (PD / APD / OAC) (RETAINED)

VIOLATION OF PC 192(b) Cl. 1

P.O.

ALLEG(S)

INTERP.

OATH ON FILE / SWN.

PRIOR(S)

LANGUAGE

DEFENDANT ☒ PRESENT ☐ VIA AUDIO / VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ AFFIDAVIT REQUESTED ☐ NOT PRODUCEDLAW AND MOTION ☒ TRIAL DATE 6/5/13 ☐ READINESS DATE ☒ REMAINS AS SET / CONFIRMED / VACATED.☐ COUNSEL & DEFENDANT STIPULATE TO PRELIMINARY / GRAND JURY TRANSCRIPT AS FACTUAL BASIS FOR PC995 / PC1538.5 MOTION.☐ DEFENDANT'S MOTION TO DISMISS PURSUANT TO PC995 IS ☐ GRANTED ☐ DENIED ☐ TAKEN UNDER SUBMISSION.☐ GRANTED AS TO: ☐ DENIED AS TO:☐ DEFENDANT'S MOTION TO SUPPRESS EVIDENCE PER PC1538.5 IS ☐ GRANTED ☐ DENIED ☐ TAKEN UNDER SUBMISSION.☐ GRANTED AS TO: ☐ DENIED AS TO:☐ PEOPLE'S / DEFENDANT'S MOTION FOR DISCOVERY IS ☐ GRANTED ☐ DENIED ☐ TAKEN UNDER SUBMISSION.☐ GRANTED AS TO: ☐ DENIED AS TO:☐ DEFENDANT'S PETITION FOR DISMISSAL PURSUANT TO PC1203.4 IS ☐ GRANTED ☐ DENIED ☐ TAKEN UNDER SUBMISSION. ☐ ORDER SIGNED AND FILED.☐ PRIOR CONVICTION SET ASIDE, NOT GUILTY PLEA ENTERED. CHARGES DISMISSED PURSUANT TO PC1203.4.☐ DEFENDANT'S MOTION FOR REDUCTION OF COUNT TO A MISDEMEANOR IS ☐ GRANTED ☐ DENIED ☐ TAKEN UNDER SUBMISSION.☐ MOTION FOR (OUTGOING) JURISDICTIONAL TRANSFER PURSUANT TO PC1203.9 IS ☐ GRANTED ☐ SUPPLEMENTAL ORDER SIGNED AND FILED.☐ DENIED - REASON:☐ CASE AND JURISDICTION TO BE TRANSFERRED TO THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF☐ DEFENDANT IS ORDERED TO REPORT TO THE PROBATION DEPT. IN THE RECEIVING COUNTY WITHIN 30 / DAYS.☐ BALANCE OF VICTIM RESTITUTION, FINES, AND FEES THAT REMAIN DUE ARE DOCUMENTED ON THE PAYMENT AUDIT FORM ATTACHED. BALANCE TO BE PAID THROUGH THE LOCAL COLLECTION ENTITY OF THE RECEIVING COURT.☐ INCOMING JURISDICTIONAL TRANSFER PURSUANT TO PC1203.9 IS ☐ ACCEPTED ☐ REFUSED - REASON:☐ ORDER GRANTING PROBATION IS SIGNED AND FILED.☐ OFFICE OF PUBLIC DEFENDER /☐ APPOINTED ☐ RELIEVED.☐ MOTION OFF CALENDAR WITH / WITHOUT PREJUDICE.

PEO. DEFT. WITNESSES SWORN & EXAMINED

P.D.C. NO.

EXHIBIT DESCRIPTION

MRKD RCVD

☒ Marilyn Kimble☒ C 5

One page document: Letter from Vocational

☒☒☐☐

Nursing & Psychiatric Technicians dated

☐☐☐☐

2/6/13 addressed to Mr. Garcia

☐☐☐☒ C 6

Document: Declaration of Elizabeth Withers

☒☒PROBATION ☐ PROBATION IS ☐ MODIFIED ☐ CONTINUED, SAME TERMS AND CONDITIONS.FUTURE HEARINGS ☐ DEFENDANT WAIVES STATUTORY TIME FOR TRIAL.

CONTINUED TO / SET FOR

AT

IN DEPT.

ON MOTION OF COURT / DDA / DEFENDANT, REASON:

TRIAL DATE REMAINS AS SET / CONFIRMED / VACATED, READINESS DATE REMAINS AS SET / VACATED.

READINESS CONTINUED TO / SET FOR AT IN DEPT. MOTIONS DUE DAYS LEFT

CUSTODY STATUS ☐ DEFENDANT REMANDED TO CUSTODY OF SHERIFF ☐ WITHOUT BAIL ☐ BAIL SET AT / REDUCED / INCREASED TO \$ ☐ PC1275.1 HOLD☐ DEFENDANT ORDERED RELEASED FROM CUSTODY THIS CASE ONLY ☐ ON OWN / SUPERVISED RECOGNIZANCE ☐ CASE DISMISSED.☒ DEFENDANT TO REMAIN AT LIBERTY ☐ ON BOND POSTED \$ ☐ ON PROBATION ☒ ON OWN / SUPERVISED RECOGNIZANCE.☐ 4TH AMENDMENT WAIVER: IMPOSED / REMAINS IN EFFECT / DELETED. ☐ PROTECTIVE ORDER: ISSUED / REMAINS IN EFFECT / MODIFIED / TERMINATED.BONDS / WARRANTS ☐ BENCH WARRANT TO ISSUE, BAIL SET AT \$ ☐ COUNSEL REPORTS NO CONTACT WITH DEFENDANT.☐ SERVICE FORTHWITH. ☐ ORDERED WITHHELD TO ☐ BENCH WARRANT ISSUED / ORDERED IS RECALLED / RESCINDED.☐ DECL. OF NON-COLLUSION & RE-ASSUMPTION OF LIABILITY FILED. ☐ BAIL FORF. IS SET ASIDE. ☐ BAIL ☐ REINSTATED ☐ EXONERATED ☐ FORFEITED☐ UPON PAYMENT OF COURT COST \$ WITHIN 30 DAYS. ☐ COST WAIVED. BOND AMT \$ BOND NO.

BOND COMPANY

AGENT

OTHER The People's motion for the Court to issue an Order prohibiting the defendant from practicing as a licensed vocational nurse while on pre-trial O.R. release is heard, argued and granted.

* The Court imposes as a condition of O.R. the defendant is to not practice as a licensed vocational nurse. This order is effective immediately.

Date:

ATTEST A TRUE COPY, Clerk of the Superior Court by

Deputy

Distribution by on 3/19/13 to JAIL DEFT. ATTY. PROS. PROB. R&R Other:

SDSC CRM-002D (Rev. 10/12)

FELONY MINUTES - LAW & MOTION